

THE WHITE HOUSE

WASHINGTON

October 16, 1975

15-11,722, 2

Executive Registry
75-8320/6

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ACTION

MEMORANDUM FOR:

PHIL BUCHEN  
✓ BILL COLBY  
HENRY KISSINGER  
ED LEVI  
JIM LYNN  
DON RUMSFELD  
JIM SCHLESINGER

FROM:

JACK MARSH *Jack*

SUBJECT:

Revised Executive Order on the  
President's Advisory Board on the  
Foreign Intelligence Community

Transmitted herewith for your comments is the last draft of the proposed executive order on PFIAB, tentatively renamed the President's Advisory Board on the Foreign Intelligence Community. Please let me have your comments as soon as possible, but in no event later than COB Monday, October 20.

Thank you.

Attachment

(EXECUTIVE REGISTRY FILE) *15-11,722, 2*

BY INDEX

PRESIDENT'S ADVISORY BOARD ON THE FOREIGN  
INTELLIGENCE COMMUNITY

There is a need for improved review of the foreign intelligence community and advice to the President on the quality of the community's activities and its compliance with law. This order establishes the President's Advisory Board on the Foreign Intelligence Community to perform these tasks.

By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

Section I. There is hereby established the President's Advisory Board on the Foreign Intelligence Community, hereinafter referred to as "the Board." It shall:

(a) review and advise the President concerning foreign intelligence and counterintelligence activities of the United States Government. The Board's areas of concern shall include quality of foreign intelligence collection and estimates, organization and management of the foreign intelligence community, and compliance of the foreign intelligence community with applicable provisions of the Constitution and laws of the United States, executive orders, and directives of the National Security Council;

(b) receive, consider, and make recommendations with respect to matters identified to the Board by the Director of Central Intelligence, or by officials of the Central Intelligence Agency, the Department of Defense, the Federal Bureau of Investigation, and other Government departments, agencies, and organizations of the foreign intelligence community;

(c) report and make recommendations to the President concerning the Board's findings and appraisals;

(d) where appropriate, be utilized by the Director of Central Intelligence and the Attorney General; and

(e) submit interim and annual reports to the President on its findings and recommendations.

Section 2. The Board may receive, investigate, consider, and make appropriate recommendations with respect to allegations of improprieties involving agencies within the foreign intelligence community made by employees of such agencies. In this connection, the Director of Central Intelligence, the Director of FBI, and the heads of other departments, agencies and organizations comprising the foreign intelligence community, and the Inspectors General thereof, on appeal from their organization heads, may seek the advice of the Board with respect to activities or categories of

activities which in the light of the statutory authority of any such agency, or any restrictions imposed by law or Executive Order, may have been or, if implemented, might be, improper or appear to be improper. As appropriate, the Chairman of the Board may designate a special panel of the Board to receive and make recommendations to the Board on such allegations.

Section 3. As used in this order, the term "foreign intelligence community" means those organizations (or subdivisions thereof) which collect, disseminate or evaluate foreign intelligence or counter-intelligence.

Section 4. (a) In order to facilitate performance of the Board's functions, the Director of Central Intelligence; the Director of the FBI, the heads of all other departments, agencies, and organizations comprising the foreign intelligence community, and the Inspectors General thereof, shall regularly:

(1) make available to the Board all information with respect to foreign intelligence, counterintelligence, and related matters which the Board may require for the purpose of carrying out its responsibilities to the President in accordance with the terms of this Order;

(2) notify the Board of major issues in the foreign intelligence community;

(3) identify to the Board specific operational issues or matters in which there is a potential for official or public concern;

(b) Each Inspector General (or other official with equivalent duties) of the foreign intelligence community shall have the authority to report directly to the Board, after notifying the head of his organization, to appeal his decisions.

(c) The head of each organization in the foreign intelligence community shall designate in writing to the Board the name of an individual and office to serve as the primary point of contact in support of Board functions. In addition, the Board is authorized to call upon persons at all levels within the foreign intelligence community.

Section 5. Members of the Board shall be appointed by the President from among persons outside the Government, qualified on the basis of ability, knowledge, diversity of background and experience, and with a view toward achieving continuity. The members shall receive compensation and allowances consonant with law.

Section 6. The President shall designate from among the Board members a Chairman who shall devote substantial time to his duties with the Board.

Section 7. The Board shall employ a staff headed by an Executive Secretary, who shall be appointed by the President.

(a) If the Executive Secretary or any member of the staff of the Board is appointed from an agency or department within the foreign intelligence community, then during his tenure with the Board, he shall be subject to no supervision, control, restriction or prohibition (military or otherwise) from such agency or department, and shall neither possess nor exercise any supervision, control, powers or functions (other than as a member of the staff of the Board) with respect to such agency or department.

(b) The Executive Secretary shall be authorized, subject to the approval of the Board and in a manner consonant with law, to hire and fix the compensation of such additional personnel as may be necessary for performance of the Board's duties.

Section 8. Compensation and allowances of the Board, the Executive Secretary, and other members of the staff, together with other expenses arising in connection with the work of the Board, shall be paid from the Executive Office Appropriation Act or from corresponding appropriations made in future years. Such payments shall be made without regard to the provisions of Section 3681 of the Revised Statutes and Section 9 of the Act of March 4, 1909, 35 Stat. 1027 (31 U.S.C. 672 and 673).

Section 9. The Board shall succeed to the records held by the President's Foreign Intelligence Advisory Board, established by Executive Order No. 11460 of March 20, 1969.

Section 10. Executive Order No. 11460 of March 20, 1969, is hereby revoked.

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Don't be confused . . this is another one!

Please give out during this meeting (Mr. Colby is aware that this is to be given out during the meeting).

Linda

P. S. If everyone on the attached list is not present at the meeting, please let us know so we can get a copy to them on Monday.

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